

BED & BREAKFAST FACILITIES **QUESTIONS & ANSWERS**

Please note: The answers to the questions that follow are general in nature. For information regarding a specific property or business, please direct questions to the Loudoun County staff members listed below:

Zoning inquiries: Mark Depo at 571/258-3197

Zoning permit inquiries: Marsha Keim at 703/777-0648

Permitting inquiries: Barbara Zimmerman at 703/777-0395

Building Code inquiries: Chris Thompson at 703/771-5527

Fire Prevention Code Inquiries: Linda Hale at 703/737-8600

I have a zoning permit for a Bed and Breakfast that was approved prior to June 2, 2014. Can I continue to operate under my approved permit?

You may continue to operate a Bed and Breakfast establishment under your approved Zoning Permit (or Special Exception conditions, if applicable) after the new regulations go into effect on June 2, 2014.

I am approved as a Bed and Breakfast home occupation. If I don't change to another type of use, can I still obtain Temporary Zoning Permits for Special Events 10 times per year?

Yes. A Bed and Breakfast home occupation may continue to obtain Temporary Zoning Permits under the requirements of Section 5-500(C) (10 events per year, with 14 days of separation between events).

I am currently approved as a Bed and Breakfast home occupation for 2 guest rooms. What do I need to do to have up to 4 guest rooms?

A new use has been established in the Zoning Ordinance called a **Bed and Breakfast Homestay**. This use allows up to 4 guestrooms and unlimited daily private parties for up to 20 attendees (including overnight guests). To establish the use, a Zoning Permit is required, accompanied by a (1) Sketch Plan if there will be less 5,000 sq. ft. of land disturbance or (2) Site Plan if there will be 5,000 sq. ft. or greater of land disturbance. If a Sketch Plan is submitted, it must indicate the location of the structures to be used for the Bed and Breakfast use. This plan does not need to be drawn to scale but must accurately depict the location of the elements of the proposed use, including parking. If a Site Plan is required, it must be prepared by an engineer or Class B surveyor. No Building Code changes are required to host the daily private parties of up to 20 attendees within the house. An owner is encouraged to install interconnected smoke alarms regardless of the age of the Bed and Breakfast. In addition, for those facilities established on or after November 16, 2006 interconnected smoke alarms are required. Those facilities established prior to November 16, 2006 wishing to expand the number of rooms will be evaluated under the requirements in effect at that time. Questions regarding the requirements should be directed to Chris Thompson.

I would like to host large private parties at a Bed and Breakfast Homestay. What do I need to do?

A Bed and Breakfast Homestay is permitted to host 10 private parties per year for greater than 20 attendees, with no required time separation between parties. A Zoning Permit is required for each private party. When applying for the permit, you must indicate the area of the property that will be used for the party and whether a tent or existing structure will be used. If a tent of greater than 900 sq. ft. will be used, a permit will be required for the

tent and the Fire Marshal will inspect the tent. If an accessory building will be used for the party with an occupant load of 50 or more, the building must meet building code for assembly uses. Typical requirements will include the doors must swing outward and have panic hardware installed (typically a horizontal bar or push pad), exit doors are required as well as exit lights and emergency lighting and an occupant card posted with that number. The posting shall occur in a conspicuous place, near the main exit or access exit doorway from the room or place. Posted signs shall be of an approved legible design and shall be maintained by the owner or authorized agent. If the accessory building was constructed without a building permit, the applicant needs to contact Building Code Enforcement to arrange for an inspection and bring the building into compliance with current codes. Depending on the facilities used for the private parties, improvements may have to be made in accordance with the Virginia Statewide Building Code. Additional requirements, such as fire suppression (sprinklers) are required for buildings greater than 12,000 sq. ft. or with occupancy of greater than 300 persons. It is recommended that the Building Official conduct a cursory structural and electrical inspection of structures to be used for private parties.

I am currently approved as a Bed and Breakfast home occupation for 2 guest rooms. What do I need to do to have 6 guest rooms?

The newly established **Bed and Breakfast Inn** use allows up to 10 guestrooms and unlimited daily private parties for up to 50 attendees (including overnight guests). To establish the use, a Zoning Permit is required, accompanied by a (1) Sketch Plan if there will be less 5,000 sq. ft. of land disturbance or (2) Site Plan if there will be 5,000 sq. ft. or greater of land disturbance. Once there are 6 sleeping rooms in the establishment, fire suppression (sprinkler system) must be installed and a Building Permit is required for the change of use.

I want to host Private Parties at a Bed and Breakfast Inn. What are the requirements?

Maximum of 50 attendees. A Bed and Breakfast Inn establishment may host an unlimited number of private parties with a maximum of 50 attendees (including overnight guests). The ability to host the daily private parties is approved as part of the Zoning Permit for the Bed and Breakfast Inn use. For 20-49 attendees, the individual structure used for the parties must be evaluated by the Building Official to review accessibility issues such as accessible restrooms, ramps, exit lighting, emergency lighting, etc. Depending on the facilities used for the private parties, improvements may have to be made in accordance with the Virginia Statewide Building Code. If there are 50 or more attendees, the doors must swing out and panic hardware (typically a horizontal bar or push pad), must be installed. When applying for a permit, the applicant may limit the maximum number to a number below 50.

More than 50 attendees. A Bed and Breakfast Inn may host 20 private parties per year for greater than 50 attendees. An *Annual Private Party Permit* may be applied for these larger parties. The permit will be reviewed by agencies within the County including the Health Department, Fire & Rescue, the Fire Official, the Building Official, and the Special Events Committee (within the Office of Emergency Management). A Sketch Plan is required to accompany the permit application that indicates the areas of the property to be used for the Private Parties and the location of any proposed tents or structures to be used. If a tent of larger than 900 sq. ft. will be used, a permit will be required for the tent and the Fire Marshal will inspect the tent. If an accessory building was constructed pursuant to the issuance of a building permit, and the building will be used for the party with an occupant load of 50 or more, the building must meet building code for assembly uses. Typical requirements will include the doors must swing outward and have panic hardware installed (typically a horizontal bar or push pad), exit doors are required as well as exit lights and emergency lighting and an occupant card posted with that number. The posting shall occur in a conspicuous place, near the main exit or access exit doorway from the room

or place. Posted signs shall be of an approved legible design and shall be maintained by the owner or authorized agent. If the accessory building was constructed without a building permit, the applicant needs to contact Building Code Enforcement to arrange for an inspection and bring the building into compliance with current codes. Depending on the facilities used for the private parties, improvements may have to be made in accordance with the Virginia Statewide Building Code. Additional requirements, such as fire suppression (sprinklers) are required for buildings greater than 12,000 sq. ft. or with an occupancy of greater than 300 persons. It is recommended that the Building Official conduct a cursory structural and electrical inspection of structures to be used for private parties.

If I have a personal party at my home that is also a Bed and Breakfast Homestay or Bed and Breakfast Inn, and the number of attendees is greater than allowed for a daily private party, does that count toward the 10 (Homestay) or 20 (Inn) large private parties allowed under this ordinance?

A personal private party that is not part of any commercial activity on the site will not be counted toward the permitted 10 or 20 large private parties.

Why do I need a new use permit?

Currently your permit allows you to operate under the prior B &B regulations, in order to operate under the new regulations you must change your use permit.

What if I'm a permitted B&B facility and I would just like to increase my number of yearly parties. Can I apply for the annual permit?

To take advantage of the increased number of private parties that are allowed for the Bed and Breakfast Inn, a Zoning Permit must first be applied for to establish the Bed and Breakfast Inn use. An *Annual Private Party Zoning Permit* may be obtained to allow up to 20 private parties for greater than 50 attendees at the Bed and Breakfast Inn. Depending on the facilities used for the private parties, improvements may have to be made in accordance with the Virginia Statewide Building Code.

Can I use an existing agricultural structure for private parties?

Agricultural structures may be used to hold private parties provided that the primary use of the structure is for agriculture. The applicant may be exempt from the requirements of the Building Code, however, it is highly recommended that the applicant install exit lighting, emergency lighting and proper means of egress (stairways, aisles, travel distance, etc.) and exits. It is recommended that the Building Official conduct a cursory structural and electrical inspection of structures to be used for private parties. The Building Official will notify the Fire Marshal's Office as to which structures are primarily used for agriculture.

Do I have to provide a landscaping buffer between my Bed and Breakfast Homestay or Bed and Breakfast Inn and my neighbor?

The regulations require that outdoor private party areas must be screened from an adjacent property with a specified amount of trees per 100 linear feet or a combination of landscaping and solid fencing. This screening does not have to be located on the property line, and may screen just the outdoor area. However, a property owner may request that the Zoning Administrator waive the requirements under certain circumstances, including that the adjacent property owner provides written consent to waive all or a portion of the required landscaping/buffering/screening requirements. This waiver may be requested of the Zoning Administrator in writing and is processed as a Zoning Correspondence (ZCOR) application.